

Settlement, Consumer Refunds in Hytrin Antitrust Case

Consumers who purchased the brand-name prescription medication Hytrin are eligible for refunds from a \$30.7-million nationwide settlement agreement. The refunds to consumers and third-party payers in 18 states will be paid by two companies who, the complaint alleged, had conspired to engage in anticompetitive conduct that delayed the availability of a more affordable generic version of the medication.

Hytrin, which is used in the treatment of hypertension and enlarged prostate, is manufactured by Abbott Laboratories, and the generic version (called "terazosin") is produced by Geneva Pharmaceuticals. According to a federal lawsuit, Abbott wrongfully paid Geneva to delay introduction of its generic version of Hytrin and took other steps to delay competition from lower-priced generic versions of its product. This illegal activity harmed consumers.

Under the settlement agreement, which is still subject to final court approval, Abbott and Geneva would provide \$28.7 million for consumers and third-party payers in Illinois and 17 other states. The most direct way for consumers to obtain claims forms is through the settlement website, <http://www.terazosinlitigation.com>. Claims forms must be mailed to the settlement administrator no later than July 15, 2005.

The settlement will benefit consumers who purchased terazosin products between October 15, 1995, and March 7, 2005, and amounts of refunds will depend on how many consumers file claims against the settlement fund. The settlement applies to consumers and third-party payers in Alabama, California, Florida, Illinois, Kansas, Maine, Michigan, Minnesota, Mississippi, Nevada, New Mexico, New York, North Carolina, North Dakota, South Dakota, Tennessee, West Virginia and Wisconsin.

Between 1999 and 2001, a number of consumers filed lawsuits against Abbott and Geneva. The cases were consolidated into a single lawsuit in federal court in the Southern District of Florida. After conducting their own investigations, the states of Florida, Kansas and Colorado filed their own lawsuit in the same court. The settlement establishes a separate \$2 million fund to reimburse state agency claims and litigation costs incurred by Florida, Kansas and Colorado.

Consumers may obtain a claims form from the settlement website, <http://www.terazosinlitigation.com>; by calling the settlement administrator toll-free at 1-877-886-0283; or by writing to the settlement administrator at:

In re Terazosin Hydrochloride Antitrust Litigation
c/o Complete Claim Solutions, Inc.
P.O. Box 24607
West Palm Beach, FL 33416